Commissioner of Patents
USSN 10/661,097

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

Claim 1 (Currently amended): A method for the prophylaxis or treatment of a HSV-1, HSV-2, or CMV infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide at least 30~~29~~ nucleotides in length, wherein the anti-viral activity of said oligonucleotide occurs principally by a non-sequence complementary mode of action, and wherein said oligonucleotide comprises at least one phosphorothioated linkage.

Claim 2 (Original): The method of claim 1, wherein said subject is a human.

Claim 3-13 (Canceled).

Claim 14 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1~~,~~ or 2~~3~~~~, or 12,~~ wherein said at least one antiviral oligonucleotide comprises at least one antiviral randomer oligonucleotide.

Claim 15 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1~~,~~ or 2~~3, or 12~~, wherein said oligonucleotide is not complementary to any portion of the genomic sequence of HSV-1, HSV-2, or CMV.

Claim 16 (Canceled).

Claim 17 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1~~,~~ or 2~~3~~~~, or 12,~~ wherein said oligonucleotide is at least 40 nucleotides in length.

Claim 18 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ 2~~3~~~~, or 12,~~ wherein each said oligonucleotide comprises at least one modification to its chemical structure.

Claim 19-20 (Cancelled).

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Claim 21 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ ~~23, or 12,~~ wherein each said oligonucleotide comprises at least one 2'-modification to the ribose moiety.

Claim 22 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ ~~23, or 12,~~ wherein each said oligonucleotide comprises at least one methylphosphonate linkage.

Claim 23-26 (Cancelled).

Claim 27 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ ~~23, or 12,~~ wherein said oligonucleotide is double stranded.

Claim 28 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ ~~23, or 12,~~ wherein said oligonucleotide binds to one or more viral components.

Claim 29 (Currently amended): The method~~, pharmaceutical composition, or kit~~ of claim 1 or~~,~~ ~~23, or 12,~~ wherein at least a portion of the sequence of said oligonucleotide is derived from a viral genome.

Claim 30-38 (Cancelled).

Claim 39 (New): The method of claim 1 or 2, wherein each nucleotide of said oligonucleotide are linked to one another by a phosphorothioated linkage.

Claim 40 (New): The method of claim 1 or 2, wherein said oligonucleotide is selected from the group consisting of REP 2005, REP 2006, REP 2007, REP 2008, SEQ ID NO: 6, SEQ ID NO: 9, REP 2024, SEQ ID NO: 20, SEQ ID NO: 23, SEQ ID NO: 25, SEQ ID NO: 26 and REP 2060.

Claim 41 (New): The method of claim 1 or 2, wherein said oligonucleotide is SEQ ID NO: 22.

Claim 42 (New): The method of claim 1 or 2, wherein said oligonucleotide is SEQ ID NO: 24.